United States Patent and Trademark Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 ginia 223 3 1450

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/696,011

10/29/2003

Harald Berchtold

CONFIRMATION NO. 7088

FORMALITIES LETTER

OC000000013503617

05487 ROSS J. OEHLER AVENTIS PHARMACEUTICALS INC. **ROUTE 202-206** MAIL CODE: D303A BRIDGEWATER, NJ 08807

Date Mailed: 08/11/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

■ For Rules Interpretation, call (703) 308-4216

- To Purchase Patentin Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

• \$130 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

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A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Harald Berchtold

Application No.: 10/696,011

Filed:

October 29, 2003

Title:

CRYSTALS OF INSULIN ANALOGS

AND PROCESSES FOR THEIR

PREPARATION

Examiner:

Art Unit:

1646

Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop address below, or being facsimile transmitted to the

USPTO, on the date indicated below

Date of Deposit Printed Name of Person Signing Certificate

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REPLY TO NOTICE OF MISSING PARTS UNDER 37 C.F.R. 1.53(f)

Mail Stop Missing Parts Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

In response to the "NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED" which was mailed on 11 August, 2004 and which indicated that the oath or declaration was missing, Applicants submit herewith the Declaration for the present application and a copy of Form PTO-1533. Also, enclosed Statement Regarding Content of paper and computer Readable Copies pursuant to 37 C.F.R. 1.821 (f) with Sequence Listing.

Please charge the \$130.00 fee involved to Deposit Account No. 18-1982. The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Account No. 18-1982. Two duplicate copies of this sheet are enclosed.

Respectfully submitted,

Barbara E. Kurys, Reg. No. 34,650

Attorney/Agent for Applicant

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Docket No. DEAV2002/0069 US NP